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Measures to eliminate international terrorism

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Letter dated 29 May 2007 from the Permanent Representative of the Dominican Republic to the United Nations addressed to the Secretary-General

On instructions from my Government, I transmit to you herewith the Declaration of Santo Domingo, adopted in the Dominican Republic at the Ministerial Conference on International Cooperation against Terrorism and Transnational Organized Crime, held from 19 to 22 March 2007 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda items 98, 99 and 100, and of the Security Council.

(*Signed*) Erasmo **Lara-Peña**
Ambassador
Permanent Representative

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Annex to the letter dated 29 May 2007 from the Permanent Representative of the Dominican Republic to the United Nations addressed to the Secretary-General

[Original: English and Spanish]

Declaration of Santo Domingo

Santo Domingo, 22 March 2007

The delegations of Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, Dominican Republic, Guyana, Haiti, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname and Trinidad and Tobago, participating in the Ministerial Conference on International Cooperation against Terrorism and Transnational Organized Crime (hereafter referred to as the Ministerial Conference), meeting in Santo Domingo from 19 to 22 March 2007;

Noting with appreciation the work of the United Nations Office on Drugs and Crime (UNODC) and the Inter-American Committee against Terrorism of the Organization of American States (OAS/CICTE), in organizing this Conference, and also appreciating the work of the UNODC regional office for Central America and the Caribbean, based in Mexico;

Recognizing also the presence of the United Nations Counter-Terrorism Committee Executive Directorate (CTED), the 1267 Committee Monitoring Team, INTERPOL, the International Maritime Organization (IMO), the Commonwealth Secretariat, the Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD), as well as the experts of the Departments of Justice of the United States and Canada and the New Scotland Yard of the United Kingdom;

Expressing appreciation for the work of the UNODC Terrorism Prevention Branch, the Secretariat of CICTE of the Organization of American States (OAS) and the Commonwealth Secretariat in the provision of technical assistance and capacity-building to support criminal justice systems in order to enable them to fulfil the obligations deriving from the relevant universal anti-terrorism instruments,[1] and the Inter-American Convention against Terrorism;

[1] Convention on Offences and Certain Other Acts Committed on Board Aircraft (1963); Convention for the Suppression of Unlawful Seizure of Aircraft (1970); Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1971); Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (1973); International Convention against the Taking of Hostages (1979); Convention on the Physical Protection of Nuclear Material (1980); Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1988); Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (1988); Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (1988); Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991); International Convention for the Suppression of Terrorist Bombing (1997); International Convention for the Suppression of the Financing of Terrorism (1999); International Convention for the Suppression of Acts of Nuclear Terrorism (2005); Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (2005); Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf (2005); Amendment to the Convention on the Physical Protection of Nuclear Material (2005).

Emphasizing the work of the Counter-Terrorism Committee of the United Nations Security Council and of its Executive Directorate relating to the evaluation of the implementation of resolutions 1373 (2001) and 1624 (2004) and its functions with regard to the coordination of technical assistance and the promotion of best practices in combating terrorism;

Reaffirming, in accordance with United Nations Security Council resolutions 1373 (2001) and 1566 (2004) the clear condemnation of terrorism in all its forms and manifestations, whatever its origin or motivation, in accordance with the principles of general international law, especially the Charter of the United Nations, international conventions and other instruments; and likewise condemns, in accordance with United Nations Security Council resolution 1624 (2005), incitement to commit terrorist acts;

Reaffirming also their commitments as members of OAS/CICTE, in accordance with the Charter of OAS and the resolutions and declarations of CICTE and the OAS General Assembly, to prevent, combat and eliminate terrorism in the hemisphere;

Reaffirming also that it is important for States to ensure that all anti-terrorism measures adopted are in conformity with the obligations of international humanitarian, refugee and human rights law;

Noting the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism on 13 April 2005 and its opening for signature and ratification at the 2005 World Summit, as well as the adoption of the Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation; Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, and the Amendment to the Convention on the Physical Protection of Nuclear Material, adopted in 2005;

Reaffirming United Nations General Assembly resolution (60/288) on the Global Counter-Terrorism Strategy adopted on 8 September 2006, enhancing the overall framework for the efforts of the international community to effectively counter the scourge of terrorism in all its forms and manifestations;

Emphasizing the need to become parties to the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

Stressing the importance of the Declaration of Panama on the Protection of Critical Infrastructure in the Hemisphere in the Face of Terrorism, adopted at the Seventh Regular Session of the OAS Inter-American Committee against Terrorism, held in Panama City, from 28 February to 2 March 2007;

Taking note of the "Declaration of Santo Domingo", adopted by the Heads of State and Governments participating at the Regional Summit on Drugs, Security and Cooperation, held in the Dominican Republic on 16 March 2007, which reaffirmed their political will and commitment to cooperate in the fight against drugs and crime;

Recalling United Nations General Assembly resolution 61/40 in which it requests the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in Vienna to continue its efforts to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognizes, in the context of the United Nations Global Counter-Terrorism Strategy and United

Nations Security Council resolution 1373 (2001), its role in assisting States in becoming parties to and implementing the relevant international conventions and protocols relating to terrorism, and in strengthening international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building;

Declare:

1. The importance for participating States, which have not yet done so, to become party to the universal anti-terrorism instruments, the Inter-American Convention against Terrorism, and the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

2. The need for participating States, which have not yet done so, to enact the necessary domestic legislation for the effective implementation of the universal instruments aimed at combating terrorism and transnational organized crime, in particular the aspects relating to the criminalization of acts, the exercise of jurisdiction and international judicial cooperation;

3. The reaffirmation of the importance of the principle of due process and respect for human rights in criminal proceedings relating to terrorism and transnational organized crime and the need to ensure the protection of victims;

4. Their appeal to the United Nations and other relevant international, regional and subregional organizations to implement the United Nations Global Counter-Terrorism Strategy at the international, regional and subregional levels, including the mobilization of human and material resources;

5. Their request to the UNODC, including its Terrorism Prevention Branch and its relevant regional offices, to strengthen and sustain the implementation of the United Nations Global Counter-Terrorism Strategy, within its mandates;

6. Their commitment to:

(a) Continue promoting regional cooperation through CICTE, as the counter-terrorism body for the OAS member States, and to collaborate with the United Nations Counter-Terrorism Committee established pursuant to resolution 1373 (2001), with the Committee established pursuant to resolution 1267 (1999) and with the Committee established pursuant to resolution 1540 (2004), of the United Nations Security Council;

(b) Continue adopting the necessary measures to ensure the most comprehensive and effective mutual legal assistance in connection with criminal investigations or proceedings aimed at combating terrorism and transnational organized crime so as to comply with the treaties, including the gathering of necessary evidence in such proceedings;

(c) Strengthen cooperation among the competent agencies, in particular through multilateral or bilateral arrangements for the prevention and suppression of terrorist attacks, in accordance with the relevant provisions of United Nations Security Council resolution 1373 (2001);

(d) Strengthen national, subregional, regional and international coordination and cooperation measures and mechanisms to combat transnational organized crime, in particular illicit drug trafficking, trafficking in persons, illicit manufacturing of

and trafficking in firearms, including small arms and light weapons, and money-laundering;

(e) Urge the international community to provide technical and financial assistance so as to enhance criminal investigations and prosecutions;

7. Their request to those participating States, which have not yet done so, to submit to UNODC the replies to the questionnaires on the application of the United Nations Convention against Transnational Organized Crime, and to the questionnaires on the application of the Protocols thereto, in accordance with the decisions taken by the Conference of Parties to the Convention at its various sessions;

8. Their invitation to donor countries and international and regional organizations to provide technical, financial and material assistance to support the efforts of the participating States with a view to becoming parties to and implementing the relevant universal anti-terrorism instruments, the Inter-American Convention against Terrorism, the United Nations Convention against Transnational Organized Crime, and the Protocols thereto;

9. Their willingness to make full use of the mechanisms provided for by Interpol to fight transnational organized crime and terrorism, by utilizing Interpol's I-24/7 global police communication system and Interpol's databases, including the Stolen and Lost Travel Documents database, and by providing effective and appropriate response to Interpol's red notices and to Interpol — United Nations Security Council special notices;

10. Their request to:

(a) UNODC and the OAS/CICTE, to continue providing technical assistance to the participating States with a view to their becoming party to and implementing the relevant universal anti-terrorism instruments, the Inter-American Convention against Terrorism, the United Nations Convention against Transnational Organized Crime, and the Protocols thereto;

(b) UNODC, in close cooperation with the CTC, CTED and other relevant United Nations Security Council Committees, to provide bilateral technical assistance to requesting Caribbean countries in the preparation and submission of their reports to the United Nations Security Council Committees, and to this end, consider organizing reporting workshops, in close cooperation with the OAS-CICTE and the Caribbean Community (CARICOM);

(c) UNODC to increase its technical assistance and, together with the OAS and the Commonwealth Secretariat, continue implementing existing training programmes for judicial and law enforcement authorities involved in implementing the universal anti-terrorism instruments, the Inter-American Convention against Terrorism, and the United Nations Convention against Transnational Organized Crime and the Protocols thereto, as well as programmes aimed at national legislatures, and develop other appropriate training programmes;

11. Their appreciation for the technical assistance tools developed by UNODC[2] and other international organizations, and their intention to use them in efforts to prevent and suppress international terrorism and transnational organized crime;

12. Their satisfaction with the development and dissemination of OAS/CICTE's "Practical Guide to the Prevention, Detection and Suppression of Terrorist Financing (2006)";

13. Their support for the decisions adopted in the "Declaration of Santo Domingo" by the Heads of State and Governments at the Regional Summit on Drugs, Security and Cooperation, held in the Dominican Republic on 16 March 2007;

The participating Delegations express their sincere thanks and appreciation to the Government of the Dominican Republic for having hosted and supported this Ministerial Conference, held in Santo Domingo, Dominican Republic, from 19 to 22 March 2007, to the UNODC and OAS/CICTE, which jointly organized this Conference, and thank the Governments of Canada and the United States for their generous contribution to the UNODC and OAS/CICTE, respectively, which enabled the organization of this Conference.

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[2] Such as: the Legislative Guide to the Universal Anti-Terrorism Conventions and Protocols; Guide for the Legislative Incorporation and Implementation of the Universal Instruments against Terrorism; Legislative Guide for the Implementation of the United Nations Convention against Transnational Organized Crime; Legislative Guide for the Implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; Legislative Guide for the Implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air; Legislative Guide for the Implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition; UNODC Model Law on Extradition; Report of the Informal Expert Working Group on Mutual Legal Assistance Case Work Best Practice; Report of the Informal Expert Working Group on Effective Extradition Case Work Practice; Model Law on Mutual Legal Assistance on Criminal Matters; Revised Manuals on the Model Treaty on Extradition and on the Model Treaty of Legal Assistance on Criminal Matters; Electronic Legal Resources Database on International Terrorism; Mutual Legal Assistance Request Writer Tool; and Manual on Witness Protection; Preventing Terrorist Acts: A Criminal Justice Strategy integrating Rule of Law Standards and Implementations of United Nations anti-terrorist Instruments. In preparation: Manual on Judicial International Cooperation against Terrorism; the Emerging International Legal Framework for Combating Nuclear Terrorism.